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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/346,063	07/01/1999	KENT J. SIEFFERT	1551.011US1	1973

70859	7590	11/21/2007
SCHWEGMAN, LUNDBERG & WOESSNER/CPA		
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MINNEAPOLIS, MN 55402		

EXAMINER	
NGUYEN, NGA B	

ART UNIT	PAPER NUMBER
3692	

MAIL DATE	DELIVERY MODE
11/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/346,063

Applicant(s)

SIEFFERT ET AL.

Examiner

Nga B. Nguyen

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005 and 21 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5 and 10-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5 and 10-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on July 25, 2005 and the Election filed on September 21, 2007, which paper has been placed of record in the file.
2. Claims 5 and 10-14 are pending in this application.

Response to Arguments/Amendment

3. Applicant's election without traverse of Group III (Claims 5 and 10-14) in the reply filed on September 21, 2007 is acknowledged.
3. Applicant's arguments with respect to claims 5 and 10-14 have been considered but are moot in view of new grounds of rejection.
4. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolling et al (hereinafter Kolling), U.S. Patent No. 5,963,925.

Regarding to claim 5, Kolling discloses a method for facilitating transfer of an interest in an intellectual property asset via global computer network, the method comprising:

formulating a proposed transfer of an interest in an intellectual property asset based on input submitted by a network user;

presenting one or more terms for the proposed transfer;

permitting the network user to select one or more of the terms;

limiting bidders via an access profile;

defining the proposed transfer based at least part on the terms selected by the user; and

posting the proposed transfer on a network resource residing on the global computer network.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Kolling's for the purpose of providing more convenient to the biller to obtain customer's financial institution data from the payments made by customers in order to encourage customers participating in electronic bill payment.

Regarding to claim 10, Kolling discloses a method for facilitating transfer of interests in intellectual property assets via a global computer network, the method comprising:

- auctioning an interest in an intellectual property asset via a network resource residing on the global computer network, wherein auctioning an interest includes listing, as part of an auction process, an asset identifier corresponding to the asset and terms of transfer of the interest in the intellectual property asset;

- limiting access to the asset identifier and the terms of transfer as a function of an access profile associated with each network user;

- gathering bids from network users; and

- adjusting the terms of transfer in the event no sufficient bids are gathered within a predetermined period of time.

Regarding to claim 11, Kolling discloses facilitating transfer of an interest in an intellectual property asset via global computer network of claim 5, wherein limiting bidders via an access profile includes accessing a database of access profiles, wherein each network user has an associated access profile.

Regarding to claim 12, Kolling discloses discloses a method for auctioning an interest in an intellectual property asset via a global computer network, the method comprising:

offering the interest in the intellectual property asset via a network resource residing on the global computer network, wherein the interest in the intellectual property asset is defined by a proposed transfer agreement and a profile of users granted access to the proposed transfer agreement;

collecting bids from network users meeting the profile of users granted access to the proposed transfer agreement; and

accepting a bid.

Regarding to claim 13, Kolling discloses The method for auctioning an interest in an intellectual property asset via a global computer network of claim 12, wherein the proposed transfer agreement is a proposed licensing agreement.

Regarding to claim 14, Kolling discloses The method for auctioning an interest in an intellectual property asset via a global computer network of claim 12, wherein the in intellectual property asset is a patent.

Conclusion

8. Claims 5 and 10-14 are rejected.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

10. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).

Application/Control Number:

09/346,063

Art Unit: 3692

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Nga Nguyen

NGA NGUYEN
PRIMARY EXAMINER

November 7, 2007